

IK-110.3 C

Rule 132 Affidavit No. 1--Re: Office action of July 2, 2004

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<u>APPLICANT(S):</u>	Petros Tsipouras	<u>GROUP ART UNIT:</u>	1631
<u>APPLICATION SERIAL NO.:</u>	10/091,360	<u>EXAMINER:</u>	CLOW, LORI A. Tel.: 571-272-0715
<u>FILING DATE:</u>	March 4, 2002	<u>ATTORNEY DOCKET NO.:</u>	IK-110.3
<u>TITLE OF APPLICATION:</u>	METHOD AND SYSTEM FOR COMPUTER CONTROLLED RARE CELL, INCLUDING FETAL CELL, BASED DIAGNOSIS.		

CERTIFICATE OF FACSIMILE TRANSMITTAL

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Date: November 2004

Hans-Peter Hoffmann
(Type or Print Name of Mailer)

(Signature of Mailer)

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION #1 OF P. TSIPOURAS AND T.P. TAFAS UNDER RULE 132**IN TRAVERSE OF CLAIM REJECTION MAILED JULY 2, 2004**

SIR:

This declaration is submitted pursuant to 37 CFR 1.132 in response to Office action mailed on July 2, 2004. This affidavit is in support of a corresponding amendment.

Reconsideration of the rejection of the Claims 1-4, 19-22, and 37 under 35 USC 102 (e) as being anticipated by US 6136540 (Tsipouras, et al.) (hereinafter : '540 reference) is respectfully requested.

It is averred herein in traverse of the rejection that any invention disclosed but not claimed in the '540 reference was derived from the inventive entity of this application.

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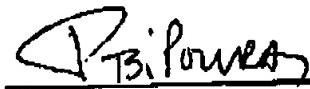
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The reference Invention is therefore not made by another as provided by by the statute under which the claims were rejected.

This Affidavit is deemed submitted timely prior to a final rejection of the above-identified patent application. The named Inventors of the '540 reference, Petros Tsipouras and Triantafyllos P. Tafas are also the named inventors of the above-identified patent application.

We, Petros Tsipouras and Triantafyllos P. Tafas, hereby declare that all statements herein of our own knowledge are true, and that all statements based on information and belief are believed to be true ; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,



Petros Tsipouras, MD

Date: November 30, 2004

Triantafyllos P. Tafas, Ph. D.

Date: November 2004

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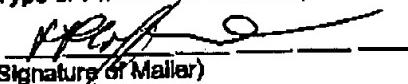
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DECLARATION #2 OF P. TSIPOURAS AND T.P. TAFAS UNDER RULE 132IN TRAVERSE OF CLAIM REJECTION MAILED JULY 2, 2004

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This declaration is submitted pursuant to 37 CFR 1.132 in response to Office action mailed on July 2, 2004. This affidavit is in support of a corresponding amendment.

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It is averred herein in traverse of the rejection that any invention disclosed but not claimed in the '607 reference was derived from the inventive entity of this application.

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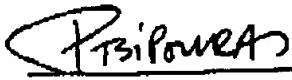
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Respectfully submitted,

Date: November 30, 2004



Petros Tsipouras, MD

Date: November 30, 2004

Triantafyllos P. Tafas, Ph. D.

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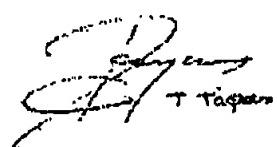
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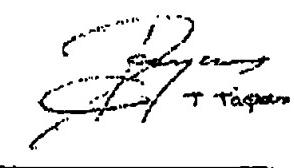
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Date: November , 2004


Petros Tsipouras, MD

Date: November 30 , 2004


Triantafyllos P. Tafas, Ph. D.

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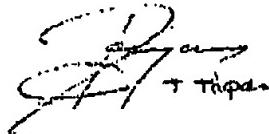
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